

(c) ADDRESSING CHINA'S SOVEREIGN LENDING IN THE AMERICAS.—The Secretary of the Treasury and the United States Executive Director to the Inter-American Development Bank shall use the voice and vote of the United States—

(1) to advance efforts by the Bank to help countries restructure debt resulting from sovereign lending by the Government of the People's Republic of China in order to achieve sustainable and serviceable debt structures; and

(2) to establish appropriate safeguards and transparency and conditionality measures to protect debt-vulnerable member countries of the Inter-American Development Bank that borrow from the Bank for the purposes of restructuring Chinese bilateral debt held by such countries and preventing such countries from incurring subsequent Chinese bilateral debt.

SA 1494. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . AUTHORIZATION OF APPROPRIATIONS FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

Notwithstanding any other provision of law, there is authorized to be appropriated for the Defense Advanced Research Projects Agency \$7,000,000,000 for fiscal year 2021.

SA 1497. Mr. WHITEHOUSE (for Mr. LEE) proposed an amendment to the resolution S. Res. 117, expressing support for the full implementation of the Good Friday Agreement, or the Belfast Agreement, and subsequent agreements and arrangements for implementation to support peace on the island of Ireland; as follows:

Beginning in the ninth whereas clause of the preamble, strike the “and” at the end and all that follows through “Northern Ireland” in the tenth whereas clause of the preamble, and insert the following:

Whereas the United States Congress stands steadfastly committed to supporting the peaceful resolution of any and all political challenges in Northern Ireland; and

Whereas the United States has a Special Relationship with the United Kingdom, including partnership on trade and economic issues.

SA 1495. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II of division E, add the following:

SEC. 5214. REQUIREMENT TO CONTROL THE EXPORT OF CERTAIN PERSONAL DATA OF UNITED STATES NATIONALS AND INDIVIDUALS IN THE UNITED STATES.

(a) IN GENERAL.—Part I of the Export Control Reform Act of 2018 (50 U.S.C. 4811 et seq.) is amended by inserting after section 1758 the following:

“SEC. 1758A. REQUIREMENT TO CONTROL THE EXPORT OF CERTAIN PERSONAL DATA OF UNITED STATES NATIONALS AND INDIVIDUALS IN THE UNITED STATES.

“(a) IDENTIFICATION OF CATEGORIES OF PERSONAL DATA.—

“(1) IN GENERAL.—The President shall establish and, in coordination with the Secretary and the heads of the appropriate Federal agencies, lead a regular, ongoing interagency process to identify categories of personal data of covered individuals that could—

“(A) be exploited by foreign governments; and

“(B) if exported in a quantity that exceeds the threshold established under paragraph (3), harm the national security of the United States.

“(2) LIST REQUIRED.—The interagency process established under paragraph (1)—

“(A) shall identify an initial list of categories of personal data under paragraph (1) not later than one year after the date of the enactment of the Protecting Americans' Data From Foreign Surveillance Act of 2021; and

“(B) may, as appropriate thereafter, add categories to, remove categories from, or modify categories on, that list.

“(3) ESTABLISHMENT OF THRESHOLD.—

“(A) IN GENERAL.—Not later than one year after the date of the enactment of the Protecting Americans' Data From Foreign Surveillance Act of 2021, the interagency process established under paragraph (1) shall establish a threshold for the quantity of personal data of covered individuals the export, reexport, or in-country transfer (in the aggregate) of which by one person to or in a restricted country could harm the national security of the United States.

“(B) PARAMETERS.—The threshold established under subparagraph (A) shall be the export, reexport, or in-country transfer (in the aggregate) by one person to or in a restricted country during a calendar year of the personal data of not less than 10,000 covered individuals and not more than 1,000,000 covered individuals.

“(C) CATEGORY THRESHOLDS.—The interagency process may establish a threshold under subparagraph (A) for each category of personal data identified under paragraph (1).

“(D) TREATMENT OF ENTITIES UNDER COMMON OWNERSHIP AS ONE ENTITY.—For purposes of determining whether a threshold established under subparagraph (A) has been met—

“(i) personal data shall be considered to be exported, reexported, or in-country transferred by one person if the personal data is exported, reexported, or in-country transferred by entities under common ownership or control; and

“(ii) the parent entity of such entities shall be liable for export, reexport, or in-country transfer in violation of this section.

“(E) CONSIDERATIONS.—In establishing a threshold under subparagraph (A), the interagency process shall seek to balance the need to protect personal data from exploitation by foreign governments against the likelihood of—

“(i) impacting legitimate business activities and other activities that do not harm

the national security of the United States; or

“(ii) chilling speech protected by the First Amendment to the Constitution of the United States.

“(4) DETERMINATION OF PERIOD FOR PROTECTION.—The interagency process established under paragraph (1) shall determine, for each category of personal data identified under that paragraph, the period of time for which encryption technology described in subsection (b)(4)(C) is required to be able to protect that category of data from decryption to prevent the exploitation of the data by a foreign government from harming the national security of the United States.

“(5) PROCESS.—The interagency process established under paragraph (1) shall—

“(A) be informed by multiple sources of information, including—

“(i) publicly available information;

“(ii) classified information, including relevant information provided by the Director of National Intelligence;

“(iii) information relating to reviews and investigations of transactions by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565);

“(iv) the categories of sensitive personal data described in paragraphs (1)(ii) and (2) of section 800.241(a) of title 31, Code of Federal Regulations, as in effect on the day before the date of the enactment of the Protecting Americans' Data From Foreign Surveillance Act of 2021, and any categories of sensitive personal data added to such section after such date of enactment;

“(v) information provided by the advisory committee established pursuant to paragraph (7); and

“(vi) the recommendations (which the President shall request) of—

“(I) privacy experts identified by the National Academy of Sciences; and

“(II) experts on the First Amendment to the Constitution of the United States identified by the American Bar Association; and

“(B) take into account the significant quantity of personal data of covered individuals that has already been stolen or acquired by foreign governments, the harm to United States national security caused by the theft of that personal data, and the potential for further harm to United States national security if that personal data were combined with additional sources of personal data.

“(6) NOTICE AND COMMENT PERIOD.—The President shall provide for a public notice and comment period after the publication in the Federal Register of a proposed rule, and before the publication of a final rule—

“(A) identifying the initial list of categories of personal data under subparagraph (A) of paragraph (2);

“(B) adding categories to, removing categories from, or modifying categories on, that list under subparagraph (B) of that paragraph;

“(C) establishing the threshold under paragraph (3); or

“(D) setting forth the period of time for which encryption technology described in subsection (b)(4)(C) is required under paragraph (4) to be able to protect such a category of data from decryption.

“(7) ADVISORY COMMITTEE.—

“(A) IN GENERAL.—The Secretary shall establish an advisory committee to advise the Secretary with respect to privacy and sensitive personal data.

“(B) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Subsections (a)(1), (a)(3), and (b) of section 10 and sections 11, 13, and 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory committee established pursuant to subparagraph (A).